

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	ORDER RE WAIVER OF PRELIMINARY
)	HEARING
vs.)	
)	
Andrew Demaree,)	
)	
Defendant.)	Case No. 1:06-cr-033

On October 10, 2006, Defendant made his initial appearance on a complaint charging him with unlawful possession of a sawed-off shotgun. Attorney Paul Emerson appeared on the government's behalf. Federal Public Defender Orell Schmitz was appointed as defense counsel and appeared on Defendant's behalf.

Defendant waived his right to a preliminary hearing. The court finds that Defendant, having had an opportunity to consult with counsel, freely and voluntarily, and knowingly and intelligently waived his right to a preliminary hearing

Accordingly, the court **ORDERS** that the defendant be bound over to the United States District Court to answer to the charges set forth in the complaint. In addition, the court **ORDERS** that Defendant be committed to the custody of the Attorney General pending transport to Bismarck, North Dakota, by the United States Marshals Service.

Dated this 5th day of October, 2006.

/s/ Charles S. Miller, Jr
Charles S. Miller, Jr.
United States Magistrate Judge